REMARKS

In the Office Action dated June 23, 2005, the Examiner divided the 13 claims (Claims 1, 2, 33, 34, and 67-75) of this application into 12 restriction groups (Groups I-XII), which coincide with each of the 12 independent claims. Claim 75, which depends from each of the independent claims, is the only other claim in each of the 12 restriction groups. The Examiner stated:

> "Inventions I-XII are independent and patentably distinct. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are independent and patentably distinct methods. The methods differ with respect to one or more of ingredients, method steps, and/or endpoints; therefore, each method is patentably distinct. Furthermore, the distinct ingredients, method steps, and/or endpoints require separate and distinct searches. As such, it would be burdensome to search these inventions." (see, page 3, Office Action, dated June 23, 2005)

The Examiner also stated:

> "Group I is drawn to a method of separating particles from a solution while minimizing particle loss that includes the step of combining a solution and a matrix material in the presence of 0.0005% to 2.0% of a detergent, which is not a limitation of Groups II-XII . . ." (see, page 4, Office Action).

Applicants respectfully submit that the Examiner has mischaracterized the claimed invention and respectfully traverse the restriction requirement for the reasons set forth below.

At the outset, Applicants note that under U.S. patent law an inventor is clearly entitled to claim an invention by reciting multiple claims in a single application. Furthermore, provided that the appropriate fees have been paid, an inventor is not prohibited from reciting and relying on multiple independent claims to obtain the desired protection for his/her invention in a single application.

Applicants' invention is employed in methods for separating solid insoluble particles from a solution or sample to minimize particle loss during manipulations of the particles. Applicants' specification teaches that any of a variety of particles may be used in the invention, including those that have affinity properties (see, e.g., page 8, lines 6-22; Examples 1-4 and 6, of the specification), magnetic properties (e.g., page 9, lines 2-5; Examples 1-6, of the specification), and/or are made of a solid matrix material (see, e.g., page 8, line 23-page 9, line 7; Examples 1-6, of the specification). The key to Applicants' invention is the use of a detergent in one or more steps wherein the particles are manipulated (e.g., combined with a solution or sample, collected, separated, resuspended) to minimize particle loss. Preferably, as claimed herein, the detergent is at a concentration in the range of 0.0005% to 2.0% (v/v) (see, e.g., page 11, lines 4-14, of the specification). Although a variety of detergents may be employed, Applicants' claims are specifically directed to the embodiment wherein the detergent employed to minimize particle loss is an anionic detergent (see, e.g., page 12, line 29-page 13, line 2; Example 5, Table 5, of the specification).

Applicants have specifically claimed their invention in terms of its use in methods of separating particles from a solution (Claims 1, 33, 67, 69, 71, 73) and in methods for isolating a molecule from a sample using affinity particles (Claims 2, 34, 68, 70, 72, 74). All 13 claims of the application recite steps involving the manipulation of solid insoluble particles (e.g., combining, collecting, separating), wherein one or more steps of the method comprise an anionic detergent present in a concentration of at least or in the range of 0.0005% to 2.0% (v/v) to minimize particle loss. As the common elements of the invention are clearly specified in each claim, Applicants respectfully submit that a search of the prior art could be performed by the Patent Office without undue burden for the purpose of examining all 13 claims and, thereby, avoid unnecessary duplication of time, costs, and submissions by Applicants and the Patent Office. Accordingly, Applicants respectfully submit that the restriction requirement is unnecessary and request that the Examiner reconsider and withdraw the restriction groups in order to examine all of the claims in the present application.

Respectfully, Applicants believe that the division of the 13 claims into the 12 restriction groups is improper and uncalled for, and Applicants do not in any way acquiesce in the reasons

for the division set forth in the Office Action. Nevertheless, in order to be fully responsive to the Office Action, Applicants provisionally elect for examination the claims of Group II, i.e., Claims 2 and 75. Applicants note that Groups IV, VI, VIII, X, and XII can also be examined concurrently with Group II as the claims in all of these groups are directed to methods of isolating a molecule from a sample wherein affinity particles are combined with the sample, collected, and separated from the sample, and an anionic detergent is employed in one or more steps at a recited concentration of 0.0005% to 2.0% (v/v) to minimize particle loss.

Respectfully submitted,

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